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FILED

MAY 12 2008

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,

Case No. CR 08-0184 MAG

Plaintiff,

v.

~~PROPOSED~~ ORDER FOR SUMMONS

NICK J. WHITAKER,

Defendant.

Having reviewed the Declaration of Timothy O'Connell, the Court finds that probable cause exists to believe that an offense has been committed. Accordingly, pursuant to Fed. R. Crim. P. 58(d)(3), the Clerk of the Court is directed to issue a Summons directing the defendant, Nick J. Whitaker, 101 Hyde Street, San Francisco, California 94102, to appear on June 13, 2008 at 9:30, a.m. before Magistrate Judge Bernard Zimmerman to answer the Information that has been filed by the United States Attorney.

IT IS SO ORDERED.

Dated: 5/12/08



EDWARD M. CHEN
United States Magistrate Judge